

Voting Members:

**David Packard**  
Chair  
NH Lakes Assn.

**Bruce Allen**  
Conservation  
Commissions

**Mark Borrin**  
Tourism Industry

**Shane Bradt**  
Scientific Community

**Linda Brownson**  
State Conservation  
Committee

**Edmund Crawford**  
Marine Trades  
Association

**Tiffany Grade**  
Conservation  
Community

**Janet Kidder**  
Planning Boards

**Frank Lemay**  
NH BIA

**Rex Norman**  
Municipal Official

**Dick Smith**  
Fishing Interests

**Mary Truell**  
NH Association of  
Realtors

**Vacant**  
NH Fish & Game  
Commission

Non-Voting Members:

**Garret Graaskamp**  
Vice Chair  
NH Fish & Game Dept.

**Capt. Tim Dunleavy**  
NH Dept. of Safety

**Eric Feldbaum**  
NH Dept. of Natural and  
Cultural Resources

**Jennifer Gilbert**  
NH Office of Strategic  
Initiatives

**Mark Hemmerlein**  
NH Dept. of Trans.

**David Rousseau**  
NH Dept. of  
Ag, Markets & Food

Staff:

**Tracie Sales**  
Program Manager

**Jen Drociak**  
Watershed Coordinator

**Mariah Mitchell**  
Program Assistant

N.H. Lakes Management and Protection Program  
**N.H. Lakes Management Advisory Committee**

April 4, 2019

The Honorable Sharon Carson, Chair  
Senate Executive Departments and Administration Committee  
Legislative Office Building, Room 306  
Concord, NH 03301

**RE: HB 150** *Relative to statements of financial interests filed by state officials.*

Dear Chair Carson and Members of the Committee:

The Lakes Management Advisory Committee (LMAC) appreciates the opportunity to comment on House Bill 150, which adds a fine of up to \$50 for anyone who fails to file the conflict of interest form under RSA 15-A. The LMAC opposes this bill because it applies to volunteer members of advisory boards, committees, and commissions as well as to paid state employees.

While we agree that it is important that potential conflicts of interest among those making decisions about how state funds are spent be revealed, the majority of those subject to RSA 15-A are unpaid volunteers who are members of advisory councils, boards, commissions, and committees. Many of these groups, including the LMAC, have no decision-making authority and only make recommendations to state agencies or the legislature, such as this letter of testimony.

With specific regard to members of the Lakes Management Advisory Committee, we make the following observation. LMAC members are vetted and appointed through the Governor and Executive Council process. We are required to fill out the financial disclosure form. However, we should not be penalized for caring about the management of New Hampshire's lakes and wishing to assist the state government in ensuring that our lakes can be enjoyed by all citizens now and in the future simply because we forget to fill out an annual form, which cannot be submitted electronically. Our interest in protecting our lakes is clearly stated in any recommendation we make, and any comment we submit is LESS likely to contain bias than that of an average citizen because of the wide array of interests required by statute among the members approved by the Governor and Executive Council.

HB 150 proposes to penalize volunteerism in New Hampshire. The possibility of an administrative fine may well discourage current advisory committee members from renewing their membership, and could cause future new members to decline a nomination. This could lead to commissions that are unable to achieve their quorums, and therefore unable to fulfill the duties recognized in statute as important to the continued vibrancy of New Hampshire's environmental, economic, and cultural resources.

The Honorable Sharon Carson  
Chair, Senate Executive Departments and Administration  
HB 150 April 4, 2019  
Page 2

The LMAC is a legislatively created body charged to work with the New Hampshire Department of Environmental Services (NHDES) to administer RSA 483-A, the Lakes Management and Protection Program. The Governor and Council appointed Committee is comprised of 19 members representing academia, business, conservation organizations, lake associations, tourism, fish and game commission, marine trades, realtors, municipal government as well as several state agencies. Among its other responsibilities, the LMAC reviews legislation relevant to the Program and the state's lakes and ponds, and advises the NHDES Commissioner on the merits of such legislation.

In conclusion, the LMAC opposes HB 150 as amended due to penalty it places on volunteers through the administrative fee.

Should you have further questions about this testimony, please feel free to contact me at (603) 867-9299 or [appliedforce52@gmail.com](mailto:appliedforce52@gmail.com).

Sincerely,



David Packard  
Chair

cc: Rep. Werner Horn  
Rep. James Spillane  
LMAC Representatives  
Robert R. Scott, Commissioner, NHDES  
Tom O'Donovan, Director, Water Division, NHDES  
Ted Diers, Administrator, Watershed Mgmt. Bur., NHDES  
Tracie Sales, Rivers and Lakes Programs Manager, NHDES